carboxy methylcellulose;

polyvinyl alcohol;

alginate;

[gum aerobic; and]

[all] a soluble gum[s].

REMARKS

The specification has been amended to include the proper U.S. patent on page 3 of the disclosure. This U.S. patent is the same as that cited as a primary reference in the office action.

Claims 2 to 4, 6, 8 to 10, 12 and 13 stand objected to as dependent claims which improperly start with an "A". The objected to claims have either been cancelled or amended to overcome this rejection.

Claims 3, 4, 9 and 13 stand rejected under 35 C.F.R. 112, second paragraph. The amendments contained hereinabove to these claims overcome this rejection.

Claims 1 to 3, 5 to 9 and 11 to 13 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over the claims of U.S. Patent 6187347. Submitted herewith is a terminal disclaimer in compliance with 37 CFR 1.321(c) with respect to the '347 patent. It is submitted that this terminal disclaimer provided herewith overcomes the basis of this rejection.

Claims 1 to 3 have been rejected under 35 U.S.C. 102(f) as being anticipated by the prior U.S. Patent 6187347 to Patterson et al. These claims have been cancelled without prejudice.

Lastly, claims 1, 2, 5 to 9, 11 to 13 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Olson in view of Levine, Burgeni, Eberl and Masci. The Examiner has

taken the position that Olson discloses the combination of tantalum oxide and iron oxide for stopping bleeding of wounds and that the powder can be moisturized with agents.

It is with this characterization that the undersigned takes issue.

The Olson reference discloses tantalum oxide composition which is intended as a wound dressing. However, there are several distinguishing aspects of the Olson compound vis-à-vis the present invention. The most significant distinction is that the tantalum oxide operates entirely differently to stop blood flow. The tantalum oxide composition is completely hydrophobic. As such, it must depend upon a passive physical filtration to block the flow of blood. The relatively small size of the tantalum oxide particles on the order of from 0.1 to 6.0 microns is required so that this fine tantalum oxide powder will form a paste when mixed with blood flowing from a wound which allows the inert or passive powder to remain in place over the wound to form a paste sieve.

The present invention, being hydrophilic, acts substantially differently by simultaneously acting, when in contact with blood, as follows:

1. Ionic components immediately bind to the negative and positive charges of the proteins of the wound permitting the artificial scab to form and remain attached to the wound without the need for a separate carrier paste;

2. Ferrate interacts with the water of the blood to form intermediaries and to serve as a molecular "glue" between the ion exchange resin particles; and

3. The ion exchange resin vigorously begins absorbing water and swelling until all of the water is completely absorbed thus solidifying the mass into an artificial scab over the wound.

Based upon the foregoing, it is submitted that this case is in condition for allowance and same is respectfully requested. However, if Examiner Choi finds any

reason whatsoever not to comply with the request to allow claims, he is requested to contact the undersigned directly by telephone to conduct a telephone interview prior to issuing any further office actions.

Respectfully submitted,

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CERTIFICATE OF MAILING

I HEREBY CERTIFY that the foregoing is being deposited in the U.S. mail, first class postage paid, addressed to the Commissioner of Patents and Trademarks, Box Fee Amendment, Washington, D.C. 20231, this January 22, 2002.

Charles J. Prescott